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Attorney for Petitioner
ANA BIOCINI

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

ANA BIOCINI,
A 91 182 333, an individual,

Petitioner,

vs.

MICHAEL MUKASEY, in his official
capacity as Attorney General of the United
States; MICHAEL CHERTOFF, in his official
capacity as Secretary of the Department of
Homeland Security; NANCY ALCANTAR, in
her official capacity as San Francisco Field
Office Director of U.S. Immigration and
Customs Enforcement, Detention and
Removal; DONNY YOUNGBLOOD, in his
official capacity as Sheriff of Kern County
Sheriff's Department and Lerdo Detention
Facility,

Respondents.

Case No. CV 08 – 0885 SI

**NOTICE OF MOTION AND
SUPPLEMENTAL MOTION FOR
PRELIMINARY INJUNCTION**

Date: April 11, 2008

Time: 9:00 a.m.

Courtroom: Hon. Susan Illston

TO RESPONDENTS AND THEIR ATTORNEYS OF RECORD:

NOTICE IS HEREBY GIVEN that on April 11, 2008 at 9:00 a.m., or as soon thereafter as counsel may be heard by the above-entitled Court, located at 450 Golden Gate Avenue, San Francisco, in the courtroom of Judge Illston, Petitioner will and hereby does move the Court for Preliminary Injunction. This motion is brought on the grounds that Petitioner has a constitutional right to enjoin her removal order under the state

created danger theory, as well as a constitutional right to be released from immigrant custody.

This motion is based on this Notice of Motion and Motion for Preliminary Injunction, the Memorandum of Points and Authorities previously filed, the declaration of Ana Biocini, the pleadings and papers on file herein, and upon such other matters as may be presented to the Court at the time of the hearing.

DATED: February 21, 2008

Holly Cooper

Attorney for Petitioner, Ana Biocini

CERTIFICATE OF SERVICE

**ANA BIOCINI,
A 91 182 333, an individual,**

Petitioner,

vs.

**MICHAEL MUKASEY, in his official
capacity as Attorney General of the United
States; MICHAEL CHERTOFF, in his
official capacity as Secretary of the
Department of Homeland Security;
NANCY ALCANTAR, in her official
capacity as San Francisco Field Office
Director of U.S. Immigration and Customs
Enforcement, Detention and Removal;
DONNY YOUNGBLOOD, in his official
capacity as Sheriff of Kern County Sheriff's
Department and Lerdo Detention Facility,**

Respondents.

Case No.: CV 08 – 0885 SI

My business address is UC Davis Immigration Clinic, One Shields Avenue, TB-30, Davis, California 95616. I am employed in the County of Yolo. I am over the age of 18 years and not a party to the above named action.

On February 21, 2008, I served a copy of Petitioner's Notice of Motion and Supplemental Motion for Preliminary Injunction and accompanying attachments on the interested parties in said action addressed as follows:

Michael Chertoff
Office of the General Counsel
U.S. Department of Homeland Security
Washington, DC 20528

Joseph Russoniello
Office of the U.S. Attorney
450 Golden Gate Ave. 11th Floor
San Francisco, CA 94102

Michael B. Mukasey
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington D.C. 20530-0001


Nancy Alcantar
Field Office Director, San Francisco
630 Sansome Street, Rm. 590
San Francisco, CA 94111

Donny Youngblood
Kern County Sheriff's Office
1350 Norris Road
Bakersfield, CA 93308-2231

by United States Postal Service by placing a true and correct copy of the documents listed above enclosed in a sealed box fully prepaid in the United States at Davis, California.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on February 21, 2008 in Davis, California.


Teresa Medina